

Legislature, for the use of each member of the Senate; carried.

Mr. Wilson moved that the Senate now proceed to the election of a Reporter for the present session; carried by the following vote:

YEAS—Messrs. Armstrong, Bogart, Dancy, Davis, Day, Duggan, Eddy, Ford, Hill, Meusebach, Miller, Taylor and Wilson—13.

NAYS—Messrs. Grimes, Hart, Parker, Potter, Reaves, Scott and Truit—7.

Mr. Wilson nominated Mr. John T. Flint. Messrs. Bogart and Day were appointed tellers.

Mr. Flint received 19 votes and was declared duly elected, and came forward and was qualified.

On motion of Mr. Parker, Mr. Miller was appointed on the several committees of which the late Mr. Sterne was a member, also on the committee on the Judiciary.

On motion of Mr. Wilson, Mr. Potter was placed on the several committees of which Mr. Merriman was a member, during the regular session.

Mr. Day introduced a bill to incorporate the Texas Orphan Asylum; read first time.

On motion of Mr. Parker, the Senate adjourned until 10 o'clock to-morrow morning.

#### THURSDAY, January 13, 1853.

The Senate was called to order by the President, pursuant to adjournment.

Senators present—Messrs. Armstrong, Bigelow, Bogart, Dancy, Davis, Day, Duggan, Eddy, Grimes, Hart, Hill, Meusebach, Miller, Parker, Potter, Reaves, Scott, Taylor, Truit and Wilson—quorum present.

The journal of yesterday was read and adopted.

Mr. Eddy presented the petition of Mary Stephenson, praying the passage of a law to authorize her to adopt Nancy C. Harper as her heir; referred to the committee on the Judiciary.

Mr. Scott presented the petition of Ervin M. Wilder; referred to the committee on the Judiciary.

Mr. Parker presented the petition of David Cook; referred to the committee on the Militia.

Mr. Wilson presented the petition of sundry citizens, relative to a change of the constitution on banking; read and referred to the committee on Finance.



Mr. Dancy presented the petition of Wm. Bridges of Fayette county; referred to the committee on Claims and Accounts.

Mr. Eddy made the following report:

The committee on printing, to whom was referred the resolution of the Senate, instructing said committee to contract for the printing of 1000 copies of the Governor's message, and such accompanying documents as they may deem necessary, in the English Language; also copies in the German and Spanish Languages, respectively, have had the same under consideration, and instructed me to contract for the printing of 1000 copies of document A, from No. 23 to 32 in relation to frontier protection, and 1000 copies of the Treasurer's Report "B," from No. 1 to No. 5, in English; and 300 copies of the Governor's message, in the German; and 300 in the Spanish Language; all of which is respectfully submitted.

Z. W. EDDY, Chairman.

On motion of Mr. Grimes, the rule requiring reports to lay on the table one day was suspended, and report adopted.

Mr. Armstrong introduced the following bills which were severally read first time—viz:

A bill supplementary to an "act concerning crimes and punishments," approved March 20, 1848;

A bill concerning offences committed by negroes;

A bill to authorize Bartlett Sims to raise a location therein named and locate the same upon any vacant land; and,

A bill to repeal an act relating to lands in Peters' Colony.

Mr. Reaves introduced a bill to authorize and require the Commissioner of the General Land Office to cancel patent No. 215, Vol. 7, and issue another; read first time.

Mr. Scott introduced a bill concerning proceedings in the County Court pertaining to Estates of deceased persons; read first time.

Mr. Duggan introduced a bill to incorporate the town of Seguin; read first time.

Mr. Day introduced a bill supplementary to an "act regulating fees of office;" read first time.

Mr. Hill introduced a bill to incorporate the Trinity Turnpike Company; and,

A bill for the relief of Jim Shaw, a Delaware Indian; read first time.

Mr. Davis introduced a Joint Resolution providing for the removal of the remains of the late Stephen F. Austin for interment in the State burial ground at the city of Austin; read first time.



Mr. Davis offered the following Preamble and Resolution:

WHEREAS, the State of Texas is highly favored in all things, saving the natural facilities of transportation, and has a great variety of climate, a vast extent of rich and productive soil, a wealthy and enterprising population, which is daily increasing in a measure so extraordinary as to give promise at no distant day that she will, in wealth, intelligence and population, become the empire State of the Union.

AND WHEREAS, much interest is manifested in every portion of the State upon the subject of internal improvement, and various and conflicting plans have been proposed, each having warm and zealous advocates, both in and out of the Legislature, urging them with zeal, energy, and ingenuity; and, whereas, the increasing demands and necessities for the means of transportation require that a well regulated system of internal improvement be found and adopted by the Legislative wisdom of the State, that will keep pace with the increasing demands for the means of transportation.

*Be it therefore Resolved*, for the purposes and with the view of reconciling conflicting opinions and concentrating the action of the whole people of the State upon some one general plan of internal improvement, that a committee of      be appointed on the part of the Senate to act with a corresponding committee on the part of the House, to report to each House such a system as in their opinion will best promote and subserve the interest of the State, with the ways and means of carrying such systems into successful operation.

On motion of Mr. Eddy, the committee on Contingent Expenses were instructed to make arrangements to pay the Post Master out of the contingent fund for the use of the Senate, the postage on any and all newspapers and public documents on which postage is required by law to be pre-paid, which may be sent through the Post Office, by members of the Senate, during the extra session.

Mr. Scott presented the petition of Richard Rains; referred to the committee on private land claims.

Mr. Hart introduced a bill for the relief of John White; read first time.

Mr. Dancy introduced a bill to authorize the Commissioner of the General Land Office to issue a patent for a survey for George Robinson, on Islands 3 and 4 in the Colorado river, in Matagorda County; read first time.

Mr. Grimes introduced a bill making further provisions for the



payment of the debt of the late Republic of Texas; read first time.

Mr. Parker introduced a Joint Resolution for the relief of Wm. H. Kennedy; read first time.

Mr. Eddy moved to reconsider the vote which carried the motion, requiring the committee on Printing to contract for 15 copies of each issue of the State Gazette and South Western American, for the use of the Senate—carried.

On motion of Mr. Eddy, the committee on Printing was instructed to contract for 10 copies of each issue of the above named papers.

### ORDER OF THE DAY.

Resolution relating to business of an Extra Session of the Legislature; read.

Mr. Wilson moved that the resolution be indefinitely postponed; upon which the yeas and nays were as follows:

YEAS—Messrs. Armstrong, Bigelow, Dancy, Duggan, Ford, Grimes, Hart, Meusebach, Potter, Reaves, Truit and Wilson—12.

NAYS—Messrs. Bogart, Davis, Day, Eddy, Hill, Miller, Parker, Scott and Taylor—9; carried.

Resolution for raising joint committee on Apportionment; read.

Mr. Hill moved to amend the resolution by striking out "three," and inserting "five."

Mr. Scott offered the following as a substitute for the resolution and the amendment.

That the committee on Apportionment, appointed on the part of the Senate, at its last regular session, be reappointed at this session; rejected.

Mr. Tayler offered the following as a substitute:

*Resolved*, That the Senate will now proceed to the election of a committee of five of their number, to whom that portion of the Governor's Message which relates to the Apportionment of the Senators and Representatives, among the several Counties, shall be referred; adopted.

On motion of Mr. Hart, it was amended by striking out "Senate will now proceed to the election of," and inserting "President appoint."

Mr. Miller moved to amend by striking out "five," and inserting "six," to be composed equally of members from each congressional district; lost.

The resolution, as amended, was then adopted; and the President appointed the following Senators on said committee:

Messrs. Taylor, Armstrong, Potter, Bigelow and Miller.

Mr. Potter moved that he be excused from serving on said committee; lost.

Mr. Bigelow moved that that portion of the Governor's Message relating to frontier protection, be referred to a special committee of five; carried.

Messrs. Bigelow, Hill, Bogart, Wilson and Eddy, were appointed said committee.

On motion of Mr. Bogart, that portion of the Governor's Message relating to Peter's Colony was referred to the committee on the Judiciary.

Mr. Scott moved that that portion of the Governor's Message relating to Internal Improvements, be referred to the committee on Internal Improvements, and that that part relating to the subject of the reserved five millions, to the committee on Public Debt; carried.

On motion of Mr. Eddy, the committee on printing was required to have printed for the use of the Senate 100 copies of the Table showing the number of white population and electors of the State of Texas, according to the last census returns.

On motion of Mr. Taylor, the Secretary of the Senate was instructed to procure a room for the use of the committee on Apportionment.

Resolution relative to the classification of Senators, read, and,

On motion of Mr. Scott, referred to the committee on the Judiciary.

A bill to incorporate the Texas Orphan Asylum; read second time, and,

On motion of Mr. Day, referred to the committee on Education.

Mr. Hill moved that he be excused from serving as chairman on the committee on Public Debt; lost.

Joint Resolution proposing an amendment to the Constitution of the State of Texas; read second time, and,

On motion of Mr. Taylor, laid on the table, and 100 copies ordered to be printed.

Mr. Wilson offered the following Resolution:

"Resolved, That the committee on Public Debt be requested to enquire into the expediency of providing for the prompt payment of 1st class claims for services or supplies held by citizens of Texas, and now in the hands of original holders, and report by bill or otherwise."

Mr. Bogart moved that the Senate adjourn until 2 o'clock P. M.; lost.



On motion of Mr. Wilson, the Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, January 14, 1853.

The Senate was called to order by the President, pursuant to adjournment.

Quorum present; the Journal of yesterday was read and adopted.

Mr. Truit presented the petition of Richard Hooper; referred to a select committee composed of Messrs. Truit, Parker, Scott, Reaves and Bogart.

Mr. Taylor presented the petition of Edward S. Napier; read and referred to the committee on Internal Improvements.

Mr. Armstrong presented the petition of sundry citizens of the counties of McClennan and Navarro, praying the creation of the county of Knox; referred to the committee on Counties and County Boundaries.

Mr. Potter presented the petition of William J. Jones, praying the renewal of the Charter incorporating the Galveston Steam Ferry, Freight and Tow-Boat Company; approved March 20, 1848; referred to the committee on Roads, Bridges and Ferries.

Mr. Dancy presented the petition of Edward Manton; referred to the committee on State Affairs, together with the accompanying documents.

Mr. Wilson presented the petition of sundry citizens of Saluria; referred to the committee on Public Lands.

Mr. Eddy, from the committee on Printing, made the following report:

The committee on Printing have contracted with the proprietors of the State Gazette, for ten copies of each issue of the Tri-weekly, at five cents per copy, in which paper will be published the Journals; and with the proprietors of the South Western American, for ten copies of each issue of the Semi-weekly American for each member of the Senate, at six cents per copy, which paper will publish the Debates of the Senate.

Mr. Miller offered the following resolution:

*Resolved*, That the committee on Education be instructed to enquire into the expediency and propriety of adopting at the present session a general system of free common schools, for the State, and report by bill or otherwise."

Mr. Dancy offered the following resolution: